

CITY COUNCIL MINUTES

July 22, 2013

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, July 22, 2013 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President Connie Robinson presiding. The following business was conducted.

These minutes are not intended to be a verbatim transcript. Audiotapes of this meeting are on file in the City Clerk's Office.

ROLL CALL:

Present: M^cGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, Weaver, Robinson

Absent: O'Daniel

There being eight (8) members present and one (1) member absent and eight (8) members representing a quorum, I hereby declare this session of the Common Council officially open.

PLEDGE OF ALLEGIANCE

This evening the pledge of allegiance is led by Councilwoman Mosby.

Fellow Councilmen and those in the audience, welcome to the July 22, 2013 meeting of the Common Council.

COUNCIL ATTORNEY

This evening Scott Danks is City Council Attorney.

SERGEANT AT ARMS

This evening Officer Shirley is Sergeant at Arms.

READING AND AMENDMENT OF MINUTES

Is there a motion to approve the minutes of the July 8, 2013 meeting of the Common Council as written?

Councilwoman Mosby moved and Councilman Adams seconded the motion to approve the minutes of the meeting of the Common Council held July 8, 2013 as written. Voice vote. So ordered.

REPORTS AND COMMUNICATIONS

IN YOUR JULY 19TH PACKET

- *City Council Meeting Agenda for July 22, 2013.
- *Committee Meeting Schedule.
- *Resolutions C-2013-14 and C-2013-17.
- *Ordinance F-2013-10 as amended.
- *Report from Weights and Measures.

EMAILED MATERIAL:

- *City Council Meeting Minutes dated July 8, 2013.

President Robinson: Can I have a motion to receive, file and make these reports and communications a part of the minutes of the meeting.

Councilman Friend moved and Councilman Weaver seconded the motion to receive, file and make these reports and communications a part of the minutes of the meeting. Voice vote. So ordered.

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

RESOLUTION C-2013-14 **FINANCE** **FRIEND**

A Resolution of the Common Council of the City of Evansville Declaring and Industrial Recovery Site for 1000 Grove Street, Evansville, IN 47712

RESOLUTION C-2013-17 **A.S.D. (BRINKERHOFF-RILEY)** **MOSBY**

A Resolution of the City Council of Evansville, Indiana regarding transfer or exchange of property with Vanderburgh County (DMD)

Councilman Adams made the motion and Councilwoman Mosby seconded the motion to adopt the Consent Agenda as written. Voice vote. So ordered.

CONSENT AGENDA

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2013-13 amended **A.S.D** **ADAMS**

Amended Speed Humps Ordinance

ORDINANCE F-2013-10 amended **FINANCE** **FRIEND**

An Ordinance of the Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds

COMMITTEE REPORTS:

A.S.D. COMMITTEE:

CHAIRWOMAN BRINKERHOFF-RILEY

Councilwoman Brinkerhoff-Riley: Madam President, your A.S.D. Committee met this evening to hear Ordinance G-2013-13 as amended and it comes forward with a do-pass recommendation.

FINANCE COMMITTEE:

CHAIRMAN FRIEND

Councilman Friend: Madam President, your Finance Committee met this evening to hear Ordinances F-2013-10 as amended and it comes forward with a do-pass recommendation.

President Robinson: Thank you. Can I have a motion to adopt the Committee Reports and move these Ordinances to Third Reading?

Councilman Friend moved and Councilwoman Brinkerhoff-Riley seconded the motion to adopt the Committee Reports and move these Ordinances to Third Reading. Voice vote. So ordered.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2013-13 amended **A.S.D** **ADAMS**

Amended Speed Humps Ordinance

President Robinson: Is there a motion to adopt Ordinance G-2013-13 as amended and call the roll?

Councilwoman Brinkerhoff-Riley moved and Councilman Weaver seconded the motion to adopt Ordinance G-2013-13 as amended and call the roll.

Call the roll Madam Clerk.

ROLL CALL

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, Weaver, Robinson

President Robinson: There being eight (8) Ayes and zero (0) Nays, Ordinance G-2013-13 as amended is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE F-2013-10 as amended **FINANCE** **FRIEND**

An Ordinance of the Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds

President Robinson: Is there a motion to adopt Ordinance F-2013-10 as amended and call the roll?

Councilman Friend moved and Councilman Adams seconded the motion to adopt Ordinance F-2013-10 as amended and call the roll.

ROLL CALL

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, Weaver, Robinson

President Robinson: There being eight (8) Ayes and zero (0) Nays, Ordinance F-2013-10 as amended is hereby declared adopted.

MISCELLANEOUS BUSINESS

There will be a Special Meeting of the Evansville City Council next Monday, July 29, 2013 at 4:00 p.m. to discuss the McGladrey Report, which is the IT report. There will not be a meeting the following Monday, August 5, 2013. The next meeting of the Common Council will be Monday, August 12, 2013. Committee meetings will begin at 5:10 p.m. on August 12th.

I have Richard Hancock, Representative from the United States Postal Service. He came here all the way from North Carolina to talk about the Postal Service.

Richard Hancock: Good evening. Thank you very much for allowing me to speak in front of the Council, okay. Yes, it was a long trip but I enjoy Evansville; been here before so it's good to get out of North Carolina.

My name is Rick Hancock. I'm a real estate specialist with the United States Postal Service. I am a Project Acquisition Manager. What I do is whenever the Postal Service is looking for a new facility throughout my region, which is about approximately 11 states, I am tasked to identify and secure those locations. My presence here is to explain the project, what we're

doing, how we're doing it and why we're doing it, okay. We have a Retail Finance Station in the mall and the mall has decided not to extend our lease. We have a lease through, I believe, January 31 of next year so we're moving forward on the new space acquisition project and that's why I'm here, to present that, okay.

What that means is first of all, we explain why we're moving a retail. Whenever we move a retail function as a Postal Service, we always reach out to the local government, to the public, we explain that. That's what I'm doing. Fairly simply here, we have no alternative. We must relocate.

The next step is more involved, okay. What we do is we kind of take a holding pattern for about 15 days minimum, and this is by code of federal regulations, where my bosses kind of look at this whole project and then they make a determination. It is called an Initial Determination to Move Forward.

In this instance, we will have a new Finance Station so we will have that go through. When that happens, then a letter will be posted at the Finance Station and will be sent here stating we are moving forward, okay. In that area, or that timeframe, that is what we call the Appeal and Comment Period. Anybody can, and it'll be addressed to me, my contact information is public knowledge, I'll leave some cards here as well and it'll be on the letterhead...anybody can contact me to explain their opinions about our project. And this is our disclosure, our comment period, our appeal period, which is a minimum of 30 days.

From that timeframe, then the Postal Service Management of Facilities will review all comments and then will make a final determination of moving the project forward. This is the standard operating procedure. We have a retail; we're going to lose that site. We will move forward; that is our goal but we have to follow these periods, they're mandatory.

From that then I, as the Project Manager, will identify sites through the help of our national broker, CB Richard Ellis and their associates. We will identify sites that meet our criteria. We are looking for approximately 1000 square feet of space, retail storefront, as close to where we're at as possible. We don't like to branch out too far. We're not...we don't go too far from where we're at but it also depends on the availability of the spaces.

From that then all sites will be public that are presented to us. We will send out what we call a Contending Letter Site, or a Contending Site Letter. That is for public comment, which is another 30 days, okay, so that's interaction between the government and the public saying look, these are the sites that we're looking at for the next Finance Station, and solicit feedback. Once again, I'm your point contact. That's why I'm here so everybody knows this is what's going on.

There was an article out in the newspaper that was not factually correct. We are not leaving the mall on our own volition. We are leaving because they are telling us to leave. We are not trying to downsize but when the space was originally done, I don't know when we moved in there, you know, things change. We can do what we did in a smaller space. So, you know, a thousand square feet plus or minus.

From the contending and non-contending sites, then we will hold a site review committee meeting. That's my operations, finance people, the people on the ground that move your mail,

and myself from facilities. Then we look at the sites and a determination of a final selection is done.

Then there is another 30-day comment period, okay, which you all can say, "I like that site", "I don't like that site". We take that into consideration before any final determination is made.

Then we move forward on securing the lease and building out the space. As anybody knows in real estate, that is easier to say than to actually do. So that's our goal. This is a project that will evolve as all projects do, all real estate does, and I look forward to working with you and the public as we go.

That's it. That's the presentation. That's the process. We do it all over the country. I do it in 11 states. We intend to find a new space and I'd like to say a better space, and that's my goal.

And I would like to answer any questions you have. Ma'am?

President Robinson: We thank you for giving this presentation. Are there any questions for Mr. Hancock?

Councilwoman Brinkerhoff-Riley: I just had a quick question. When you...your current location site is in the mall. Do you mean Eastland Mall?

Richard Hancock: Yes Ma'am.

Councilwoman Brinkerhoff-Riley: Okay, I just...there is Washington Square. I just wanted to make sure I could picture in my head where...

Richard Hancock: Eastland Mall, yes.

Councilman Adams: Sir, if I understand your process correctly, it'll be somewhere around Halloween next year before you have an active, functional replacement for where you are right now.

Richard Hancock: No, in this instance we have pretty much...I used to go by 30 - 30 - 30, okay, but there're a few more weeks in there, okay. Pretty much, we can't do anything for 15 days right now. This is just...

Councilman Adams: After the 31st of January.

Richard Hancock: No right now.

Councilman Adams: Oh, okay.

Richard Hancock: For right now we can't do anything. And then we go out for comments. That's our holding period, okay, so we hold. From that holding period, once my bosses move forward and they say, "Go forth Rick, and do this", then we start identifying sites and that depends on...each space is different. Each location is different. Sometimes it takes months, sometimes it takes a few days. All right, then from there then we publicize that information.

That's another 30 days for comments, okay. Then we have a site selection, then it's another 30 days. The best way to phrase it is about four months before we can enter into a lease.

Councilman Adams: You don't have to wait until you're actually out of your space...

Richard Hancock: Oh no sir, no sir, no. We start now.

Councilman Adams: That was the question I was having...

Richard Hancock: No, we start now.

Councilman Adams: And is there a possibility that you might not do this? That perhaps you don't need this extra space done.

Richard Hancock: No. I've been in contact with our brokers who have been in contact with the mall. The mall has been very adamant. We just now got an additional six-month lease. They will not give us the five-year term so we will have to relocate, and we will have to move within that six-month timeframe.

Councilman Adams: I'm sorry I didn't phrase that correctly. Would it be possible that you don't replace this space at all?

Richard Hancock: No. No, that is not our intention at all. I wouldn't be here if the...if it wasn't already approved.

Councilman Adams: Thank you.

Richard Hancock: Yeah, but we're not...there is no final determination. This is a project presentation but I wouldn't be here presenting the project had I not had my blessing to come.

Councilman Adams: I got it. Thank you.

Richard Hancock: I'm ready to roll.

President Robinson: *(Off Mic)* Are there any other questions? *(Inaudible)* to come here and give us a presentation.

Richard Hancock: Well thank you very much, okay. I'm going to leave a couple of cards over here just in case, okay.

President Robinson: Okay. Thanks.

Next, I have Berniece Tirmenstein.

Berniece Tirmenstein: Berniece Tirmenstein, 1636 E. Blackford Avenue.

Something that concerns me, and I'd like your input. The City Council meets on Mondays at 5:30 p.m. This is the same day of the week, same time as the Evansville-Vanderburgh School Board meets. I have attended two of the EVSC board meetings lately. I think it's important for

citizens to exchange thoughts with School Board on issues, especially now with Common Core standards in education being discussed.

Paul Neidig, Chief Administrative Officer of EVSC, wrote a letter to me thanking me for attending the School Board meeting on June the 17th. He stated, "I wanted to follow up with you regarding your question about the safety of our children while in school in case of a tornado. Please feel free to contact my office at 812-435-0966 to discuss your concerns".

My question to the Council is is there any way that there can be a change made whereby citizens can attend both City Council and the EVSC board meetings.

I'd like some comments from you. Thank you.

President Robinson: Are you saying that you would like one of the organizations to change their meeting night.

Berniece Tirmenstein: Well could it be done, yes? You know the County Council; County Commissioners all have their designated dates that don't have any conflicts.

President Robinson: It's not by State statute or anything.

(Inaudible)

President Robinson: It's in the Code Book? It's in the Code Book that we meet on Mondays?

City Council Attorney Danks: Are you talking about the City Code?

(Inaudible)

President Robinson: Yes, School Board...did you ask the School Board to change?

Berniece Tirmenstein: No, I haven't but I'm going to be talking with Paul Neidig and discuss this with him and see if there can be a change.

President Robinson: Councilman McGinn.

Councilman McGinn: Yeah, how often do they meet, do you know? Do they meet just once a month, the School Board? Or are they....

Berniece Tirmenstein: I think it's oftener than that.

Councilman McGinn: Is it?

President Robinson: Yeah I think we...they should be the one to change.

Berniece Tirmenstein: That's my thought.

Councilman McGinn: Or just coordinate. If we are all on Monday and if we meet twice a month and they meet twice a month, well there're generally four Mondays in a month, I mean...it seems like that ought to work out. And some months even have five Mondays.

President Robinson: Berniece, tell them that they have our support to change their night.
Berniece Tirmenstein: Okay.

Councilwoman Brinkerhoff-Riley: Yes, we can let them know when we're not meeting, right? Yeah, send them an email every month.

President Robinson: I feel you. I do think that's an important meeting that, you know, we need to find out about the educational process.

Unidentified Speaker: *(Inaudible)* the first and third Mondays.

Berniece Tirmenstein: What is it?

Unidentified Speaker: *(Inaudible)* could meet the first and third Monday.

Berniece Tirmenstein: Well that's a possibility.

President Robinson: We could meet the second and fourth then.

Berniece Tirmenstein: To coordinate the meetings, yeah. I do thank you.

President Robinson: Well I thank you for coming before us with that. Is there anyone else in the audience that would like to have anything to say tonight?

Committee Reports...oh, I'm sorry.

Unidentified Speaker: *(Inaudible)*

President Robinson: Okay, is there anyone in the audience?

Okay, Committee Reports.

COMMITTEE REPORTS:

FINANCE COMMITTEE:

Re: Resolution C-2013-14

Date: August 12, 2013

Time: 5:10 p.m.

Notify: Chris Kinnett (GAGE)

CHAIRMAN JOHN FRIEND

Declaring an Industrial Recovery Site

1000 Grove Street.

President Robinson: Okay, also I guess, it comes under the Finance Committee of yours, the CDBG Hearings will be on August the 12th, 3:30 to 5:00.

Councilman Friend: Yeah, I forgot. I should have gone...

President Robinson: They didn't have it under Finance but that's your committee.

Councilman Friend: That's *(Inaudible)*. We'll have the Joint Hearings on August the 14th. That'd be here at 3:30 until whenever at Room 301 here. And then we have City Budget Hearings beginning on August the 19th, 20th, 21st, 22nd, starting at 2:30 and it will be at this location.

President Robinson: Okay, thank you.

A.S.D. COMMITTEE:

Re: Resolution C-2013-17

Date: August 12, 2013

Time: 5:15 p.m.

Notify: Carolyn Rusk (DMD)

CHAIRWOMAN BRINKERHOFF-RILEY

Exchange of property with Vanderburgh County

PUBLIC WORKS COMMITTEE:

Re: Resolution C-2013-15

Date: August 12, 2013

Time: 5:20 p.m.

Notify: Jonathan Weaver

CHAIRMAN CONOR O'DANIEL

Renaming a certain section of street or roadway Don Mattingly Way

President Robinson: So everyone please put on your calendar, August 12th we start at 3:30 until... Also on August 12th we will have a presentation by the Mayor on the hotel project so...

Councilwoman Brinkerhoff-Riley: And I will turn 41 so anyone that wants to bring me a gift that day, that's okay too.

(Laughter)

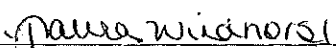
Councilwoman Brinkerhoff-Riley: I'm kidding about that. That's probably unethical.

ADJOURNMENT

President Robinson: Can I have a motion for adjournment?

Councilwoman Mosby moved and Councilman Friend seconded the motion to adjourn. Voice Vote. So Ordered.

Meeting adjourned at 6:01 p.m.



Laura Windhorst, City Clerk



Constance Robinson, President